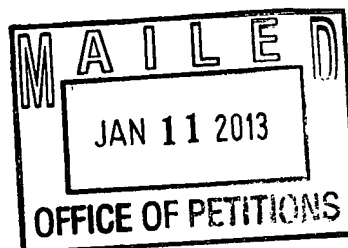




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Gregory IPL, P.C.
306 North Pines Road
SPOKANE VALLEY WA 99206-5180



In re Patent No. 6,498,989 :
Issue Date: December 24, 2002 :
Application No. 09/453,158 : REQUEST FOR INFORMATION
Filed: December 1, 1999 :
Attorney Docket No. TR2-004(Old # TR01- :
P04) :

This is a request for information on the petition under 37 CFR 1.378(c), filed October 31, 2012, to accept the unintentionally delayed payment of a maintenance fee for the above-identified patent.

The petition is **DISMISSED**.

Any request for reconsideration must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.378(c)." This is **not** final agency action within the meaning of 5 U.S.C. §704.

Pursuant to 37 CFR 1.378(d) any petition under this section must be signed by an attorney or agent registered to practice before the Patent and Trademark Office, or by the patentee, the assignee, or other party in interest. It is not apparent that Elena Herzog is a proper party.

In this regard, petitioner's attention is directed to 37 CFR 1.33(b), which states.

(b) Amendments and other papers. Amendments and other papers, except for written assertions pursuant to § 1.27(c)(2)(ii) of this part, filed in the application must be signed by:

- (1) A registered patent attorney or patent agent of record appointed in compliance with § 1.32(b);
- (2) A registered patent attorney or patent agent not of record who acts in a representative capacity under the provisions of § 1.34;
- (3) An assignee as provided for under §3.71(b) of this chapter; or
- (4) All of the applicants (§ 1.41(b)) for patent, unless there is an assignee of the entire interest and such assignee has taken action in the application in accordance with § 3.71 of this chapter.

The petition has not been reviewed on the merits.

It is further noted the 7.5 year maintenance fee is \$1,450 and the surcharge is \$1,640 for a total of \$3,090.

In addition, any future correspondence must include the correct patent and **application number**.

The address provided on the petition differs from the correspondence address of record. A courtesy copy of this decision is being mailed to the address given on the petition; however, the Office will mail all future correspondence solely to the address of record.

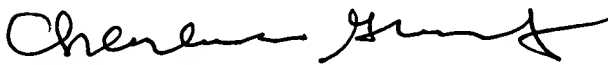
Further correspondence with respect to this matter should be addressed as follows:

By Mail: Mail Stop PETITION
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: U. S. Patent and Trademark Office
 Customer Service Window, Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

The centralized facsimile number is (571) 273-8300.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3215.



Charlema Grant
Attorney Advisor
Office of Petitions

Cc: Elena V. Herzog
 8865 Wonderland Ave.
 Los Angeles, CA 90046